REMARKS

This application has been carefully reviewed in light of the Office Action dated April 26, 2004. Claims 36, 38 to 40, 42 to 44, and 46 to 50 remain pending in the application, of which Claims 36, 40 and 44 are the independent claims. Claims 36, 40 and 44 have been amended. Reconsideration and further examination are respectfully requested.

Claims 36, 38 to 40, 42 to 44, and 46 to 50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,287,194 (Lobiondo) and U.S. Patent Nos. 5,045,880 (Evanitsky) and 5,036,361 (Filion), which were incorporated by reference, in view of U.S. Patent No. 6,081,342 (Nakai). Reconsideration and withdrawal of the rejections is respectfully requested.

The present invention concerns designating selection conditions for selecting an image output apparatus from among a plurality of image output apparatuses. With specific reference to the claims, amended independent Claim 36 recites a data processing apparatus having a printer driver for generating print data in accordance with a print request issued by an application program assigning the generated print data to one of a plurality of image output apparatuses and that communicates with the plurality of image output apparatuses via a network. The data processing apparatus has limiting means for limiting selection conditions of functions provided by the plurality of image output apparatuses, which are associated with printing and capable of being designated by an operator, within a range so defined that at least one of the plurality of image output apparatuses satisfies a selection condition that can be designated by the operator among the limited selection conditions, the range being represented by a sum of the functions

provided by each respective one of the plurality of image output apparatuses on the network. The data processing apparatus further includes control means for controlling a display device to display the selection conditions limited by said limiting means in a form such that the operator can designate a desired selection condition. The data processing apparatus further includes generating means for generating a plurality of lists in a case where a plurality of selection conditions are designated by the operator, the plurality of lists respectively corresponding to the plurality of designated selection conditions and each of the lists including one or more image output apparatuses satisfying the corresponding selection condition, and selecting means for selecting an image output apparatus satisfying the plurality of designated selection conditions based on the plurality of lists generated by said generating means. Finally, the data processing apparatus also has constructing means for constructing, within the data processing apparatus, a plurality of logical interfaces, for transmitting the print data directly to one of the plurality of image output apparatuses via the network, each of the plurality of logical interfaces respectively corresponding to the plurality of image output apparatuses, wherein the generated print data is assigned to one of the plurality of image output apparatuses that is selected based on a selection condition designated by the operator and information which is stored in advance and which indicates print functions of the plurality of image output apparatuses.

Amended independent Claims 40 and 44 are method and memory medium claims, respectively, that substantially correspond to Claim 36.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claims 36, 40 and 44 as amended. More particularly, the applied art is not seen to disclose or to suggest at least the features of generating means

for generating a plurality of lists in a case where a plurality of selection conditions are designated by the operator, the plurality of lists respectively corresponding to the plurality of designated selection conditions and each of the lists including one or more image output apparatuses satisfying the corresponding selection condition and selecting means for selecting an image output apparatus satisfying the plurality of designated selection conditions based on the plurality of lists generated by said generating means.

The Office Action takes the position that Lobiondo teaches generating means and selecting means. However, Lobiondo is not seen to disclose several features of the generating means of the present invention, including that a plurality of lists are generated in a case where a plurality of selection conditions are designated by the operator, that the plurality of lists respectively correspond to the plurality of designated selection conditions, or that each of the lists includes one or more image output apparatuses satisfying the corresponding selection conditions.

The Office Action cites the entered printing criteria of Lobiondo as being analogous to the present invention's generating means for generating a plurality of lists. However, even if the entered criteria of Lobiondo is considered to be a list, Lobiondo is not seen to suggest a plurality of such lists. Moreover, by the present invention, a plurality of lists is generated in a case where a plurality of selection conditions are designated by the operator, the plurality of lists respectively corresponding to the plurality of designated selection conditions with each of the lists including one or more image output apparatuses satisfying the corresponding selection condition. In contrast, Lobiondo is not seen to disclose lists of image output apparatuses.

It follows that, as Lobiondo does not disclose lists of image output apparatuses, Lobiondo cannot disclose selecting means for selecting an image output apparatus satisfying the plurality of designated selection conditions based on the plurality of lists generated by said generating means.

Additionally, the cited art is not seen to disclose the feature of limiting means for limiting selection conditions of functions provided by the plurality of image output apparatuses, which are associated with printing and capable of being designated by an operator, within a range so defined that at least one of the plurality of image output apparatuses satisfies a selection condition that can be designated by the operator among the limited selection conditions, the range being represented by a sum of the functions provided by each respective one of the plurality of image output apparatuses on the network. The Office Action admits that Lobiondo does not teach limiting means, but takes the position that Nakai discloses such a feature and that it would have been obvious to modify Lobiondo with the teachings of Nakai.

The newly cited reference, Nakai, is seen to disclose an image forming system including three copying machines 91, 92 and 93. Copying machine 93 has the greatest number of image processing functions. (Nakai, Column 17, Lines 17 to 22) Display device 1 of each of the copying machines 91 and 92 displays functions provided by copying machine 93. (Nakai, Column 17, Lines 56 to 61) In a case where the user selects a function on copying machine 91 or 92 that exists only on copying machine 93, display device 1 will display a message explaining that the function is not available on the local copying machine. (Nakai, Column 18, Lines 15 to 19)

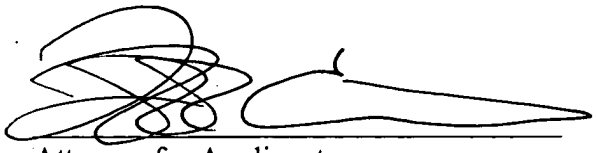
However, according to Nakai, features that exist on copying machines 91 and 92, but which do not exist on copying machine 93 with the greatest number of image processing functions, are seen to be unavailable on any of copy machines 91, 92 and 93, since only the functions available on copying machine 93 are displayed on display device 1 of copying machines 91 and 92. Thus, Nakai's system is seen to teach away from limiting selection conditions of functions within a range represented by a sum of the functions provided by each respective one of the plurality of image output apparatuses on the network.

The remaining cited art is not seen to add anything to overcome the deficiencies of Lobiondo or Nakai. Based on the foregoing, Applicant submits that independent Claims 36, 40 and 44 are in condition for allowance. The other pending claims in this application are dependent from the independent claims discussed above and are believed patentable for the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing remarks, all of Claims 36, 38 to 40, 42 to 44, and 46 to 50 are believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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